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09/753,335	12/29/2000	Steven M. Armstrong	061473 0269987	8408

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EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
2697	7

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/753,335	ARMSTRONG ET AL.	
	Examiner	Art Unit	
	Md S Elahee	2697	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on _____.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-21 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 30 October 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 02/05/03. Claims 1-21 are pending.

Response to Arguments

2. Applicant's arguments filed 02/05/03 have been fully considered but they are not persuasive.

The applicant argues on page 5, in first paragraph that Matthews teaches only one VMS. Matthews does teach more than one VMS (see fig.2). Matthews also teaches that each user has his own voice mailbox (see col.55, lines 58-60, col. 78, lines 24-28) as recited in claims 1, 10 and 19. Thus the rejection of the claims 1-5, 10-13 and 19-21 in view of Matthews et al. remain.

Applicant's arguments with respect to claims 6-9 and 15-18 have been considered but are moot in view of the new ground(s) of rejection.

In view of the Applicant's remarks, it is agreed that Matthews et al. do not include the added limitation of a device connected to the first interactive voice response service via the internet. Thus a new ground of rejection of Matthews et al. in view of Ho et al. is applied below.

Claim Objections

3. Claims 1, 10 and 14 are objected to because of the following informalities: it appears that the phrase 'first interactive voice service' should be 'first interactive voice response service' and the phrase 'second interactive voice service' should be 'second interactive voice response service'. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 10-13 and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Matthews et al. (U.S. Patent No. 4,602,129).

Regarding claims 1 and 10, Matthews discloses a subscriber caller providing greeting, name of the subscriber etc. by voice response service provided to callers who want to access the subscriber's mailbox or RO message address (fig.35; col.54, lines 44-68, col.55, lines 1-8, col.68, lines 7-17, lines 48-64; 'a subscriber caller' reads on the claim 'a user', 'greeting, name of the subscriber etc.' reads on the claim 'personalized prompts' and 'voice response service provided to callers who want to access the subscriber's mailbox or RO message address' reads on the claim 'first interactive voice response service').

Matthews further discloses user dialing command for name record (fig.27, step 1550; 'command' reads on the claim 'selected access code') or user dialing "9" for recording a prompt message on his RO message (fig.36, step 1842; "9" reads on the claim 'selected access code') or user dialing the PIM command for recording a PIM (fig.38; 'PIM command' reads on the claim 'selected access code') through a voice response service for mailbox subscriber (col.69,

lines 38-46; ‘voice response service for mailbox subscriber’ reads on the claim ‘a second interactive voice response service’).

Matthews further discloses recording name of the subscriber (fig.27b, step 1558; ‘name of the subscriber’ reads on the claim ‘personalized prompt’), message (fig.36, step 1848; ‘message’ reads on the claim ‘personalized prompt’), user’s response (fig.38, step 1912; ‘user’s response’ reads on the claim ‘personalized prompt’) or input address (fig.38, step 1924; ‘input address’ reads on the claim ‘personalized prompt’) with dialing command or dialing digit through a voice response service for mailbox subscriber.

Matthews further discloses when a outside caller try to access the subscriber’s mailbox or his RO message address through a voice response service provided to the caller, the recorded personalized prompt will be released to the caller (col.75, lines 45-62; ‘the subscriber’s mailbox or his RO message address’ reads on the claim ‘location’).

Regarding claims 2 and 11, Matthews further discloses the step NAME RECORD whereby a user’s name is deposited in the VMS memory banks for transmittal with each of the user’s deposited messages and if the user requests the NAME RECORD feature, the program flows along the "Y" path to a decision block 1552 and if this C.O.S. is activated, the program flows along the "Y" path to a function block 1554 wherein VMS prompts the user to record his name (fig.27b; col.55, lines 34-45; ‘prompts’ reads on the claim ‘maintaining help information’). VMS is providing the help information to the user (fig. 27b; ‘VMS’ reads on the claim ‘a network interface’).

Regarding claims 3 and 12, Matthews further discloses the VMS 10 validating user ID (fig.12, step 624), acknowledging a valid code has been entered (fig.12, step 628) with an audible signal, such as a single "beep" (fig.11, fig.12; col.23, lines 10-14; 'validating user ID' reads on the claim 'receiving a user identification') through a voice response service for mailbox subscriber (col.69, lines 38-46; 'voice response service for mailbox subscriber' reads on the claim 'a second interactive voice response service').

Matthews further discloses the conclusion of the recording step 610, the user may elect to either DEPOSIT another message 612, inquire for messages 614 or hang up 616 (fig.11, fig.21; col.22, lines 50-54). At the end of record voice message program step 610 the user has the three program options (fig.11, fig.14, col.24, lines 32-35; 'program options' reads on the claim 'a list of available communication management options').

Matthews further discloses the selected code against the list of options has been inherently compared in the system (fig.14, block 658).

Matthews further discloses VMS 10 utilizing several microprocessor controlled Universal Control Boards connected to one bus instead of a single minicomputer (col.21, lines 34-36; 'controlled Universal Control Boards' reads on the claim 'controlling operation').

Regarding claims 4 and 13, Matthews further discloses the VMS 10 validating user ID 624, acknowledging a valid code has been entered 628 (fig.11, fig.12; col.23, lines 10-13; 'validating user ID' reads on the claim 'receiving a user identification').

Matthews further discloses VMS providing the help information to the user (fig. 27b; 'VMS' reads on the claim 'a network interface').

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Matthews further discloses the conclusion of the recording step 610, the user may elect to either DEPOSIT another message 612, inquire for messages 614 or hang up 616 (fig.11, fig.21; col.22, lines 50-54). At the end of record voice message program step 610 the user has the three program options (fig.11, fig.14, col.24, lines 32-35; ‘program options’ reads on the claim ‘a list of available communication management options’).

Regarding claim 19, Matthews further discloses a subscriber caller providing greeting, name of the subscriber etc. by voice response service provided to callers who want to access the subscriber’s mailbox or RO message address (fig.35; col.54, lines 44-68, col.55, lines 1-8, col.68, lines 7-17, lines 48-64; ‘a subscriber caller’ reads on the claim ‘a user’, ‘greeting, name of the subscriber etc.’ reads on the claim ‘personalized prompts’ and ‘voice response service provided to callers who want to access the subscriber’s mailbox or RO message address’ reads on the claim ‘first interactive voice response service’) and when a outside caller try to access the subscriber’s mailbox or his RO message address through a voice response service provided to the caller, the recorded personalized prompt will be released to the caller (col.75, lines 45-62; ‘the subscriber’s mailbox or his RO message address’ reads on the claim ‘a prompts store’).

Matthews further discloses the VMS system 10 storing a message deposited from a caller, and the message is later delivered to the addressee (fig.3; col.5, lines 34-36; ‘VMS’ reads on the claim ‘a personalization server’). Instructional messages are also stored in the data storage 64 to guide the user in using the VMS 10 (fig.3; col.5, lines 36, 37; ‘Instructional messages’ reads on the claim ‘personalized prompts’).

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Matthews further discloses VMS inherently stores the list of the communication management options.

Matthews further discloses VMS inherently stores access codes respectively associated with the communication management options.

Matthews further discloses recording name of the subscriber (fig.27b, step 1558; 'name of the subscriber' reads on the claim 'personalized prompt'), message (fig.36, step 1848; 'message' reads on the claim 'personalized prompt'), user's response (fig.38, step 1912; 'user's response' reads on the claim 'personalized prompt') or input address (fig.38, step 1924; 'input address' reads on the claim 'personalized prompt') with dialing command or dialing digit through a voice response service for mailbox subscriber.

Regarding claim 20, Matthews further discloses the step NAME RECORD whereby a user's name is deposited in the VMS memory banks for transmittal with each of the user's deposited messages and if the user requests the NAME RECORD feature, the program flows along the "Y" path to a decision block 1552 and if this C.O.S. is activated, the program flows along the "Y" path to a function block 1554 wherein VMS prompts the user to record his name (fig.27b; col.55, lines 34-45; 'prompts' reads on the claim 'help information regarding the communication management options').

Matthews further discloses VMS inherently storing help information and providing the help information to the user (fig. 27b; 'VMS' reads on the claim 'a network interface').

Regarding claim 21, Matthews further discloses the user's telephones 18 connected to the PBX's 12 have access to the VMS 10 and the features of the VMS 10 may be utilized by a small

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customer with a single PBX 12 or by much larger customers having multiple PBX's 12 interfaced with a single VMS 10 (fig.1; col.4, lines 41-46; 'much larger customers having multiple PBX's 12' reads on the claim 'users being respectively associated with a plurality of office phones coupled to the PBX').

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews et al. (U.S. Patent No. 4,602,129) and in view of Ball et al. (U.S. Patent No. 5,394,445).

Regarding claims 5 and 14, Matthews discloses a subscriber caller providing greeting, name of the subscriber etc. by voice response service provided to callers who want to access the subscriber's mailbox or RO message address (fig.35; col.54, lines 44-68, col.55, lines 1-8, col.68, lines 7-17, lines 48-64; 'a subscriber caller' reads on the claim 'a user', 'greeting, name of the subscriber etc.' reads on the claim 'personalized prompts' and 'voice response service provided to callers who want to access the subscriber's mailbox or RO message address' reads on the claim 'first interactive voice response service'). Matthews further discloses recording name of the subscriber (fig.27b, step 1558; 'name of the subscriber' reads on the claim 'personalized prompt'), message (fig.36, step 1848; 'message' reads on the claim 'personalized

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prompt'), user's response (fig.38, step 1912; 'user's response' reads on the claim 'personalized prompt') or input address (fig.38, step 1924; 'input address' reads on the claim 'personalized prompt') with dialing command or dialing digit through a voice response service for mailbox subscriber. However, Matthews fails to teach how to adjust "the communication management options". Ball teaches the user how to adjust the setting of the ETR's controls (col.15, lines 60-66; 'the setting' reads on the claim 'the communication management options'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Matthews to allow options adjustment as taught by Ball. The motivation for the modification is to allow the user to make an adjustment of different types of options.

Matthews further discloses user dialing command for name record (fig.27, step 1550; 'command' reads on the claim 'selected access code') or user dialing "9" for recording a prompt message on his RO message (fig.36, step 1842; "9" reads on the claim 'selected access code') or user dialing the PIM command for recording a PIM (fig.38; 'PIM command' reads on the claim 'selected access code') through a voice response service for mailbox subscriber (col.69, lines 38-46; 'voice response service for mailbox subscriber' reads on the claim 'a second interactive voice response service'). However, Matthews fails to teach "adjusting the maintained access codes". Ball teaches the user how to adjust the setting of the ETR's controls (col.15, lines 60-66; 'the setting' reads on the claim 'the the maintained access codes'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Matthews to allow access codes adjustment as taught by Ball. The motivation for the modification is to allow the user to make an adjustment of different access codes.

Matthews further discloses when a outside caller try to access the subscriber's mailbox or his RO message address through a voice response service provided to the caller, the recorded personalized prompt will be released to the caller (col.75, lines 45-62; 'the subscriber's mailbox or his RO message address' reads on the claim 'location'). However, Matthews fails to teach "adjusted location". Ball teaches the user how to adjust the setting of the ETR's controls (col.15, lines 60-66; 'the setting' reads on the claim 'adjusted location'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Matthews to have an adjusted location as taught by Ball. The motivation for the modification is to allow the user to make an adjustment of the location.

8. Claims 6-9 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews et al. (U.S. Patent No. 4,602,129) and in view of Ho et al. (U.S. Patent No. 6,061,502).

Regarding claims 6 and 15, Matthews further discloses a subscriber caller providing greeting, name of the subscriber etc. by voice response service provided to callers who want to access the subscriber's mailbox or RO message address (fig.35; col.54, lines 44-68, col.55, lines 1-8, col.68, lines 7-17, lines 48-64; 'a subscriber caller' reads on the claim 'a user', 'greeting, name of the subscriber etc.' reads on the claim 'personalized prompts' and 'voice response service provided to callers who want to access the subscriber's mailbox or RO message address' reads on the claim 'first interactive voice response service').

Matthews further discloses an inquiry whether the user will be gone for several days or several weeks by outputting a CVM such as "Do you wish to say you will be gone for several days or several weeks: dial '1' for days, or '2' for weeks" (fig.38, step 1910; col.73, lines 10-16;

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'outputting a CVM' reads on the claim 'help information'; 'dial' reads on the claim 'provide personalized prompts' and 'function block 1910' reads on the claim 'first interactive voice response service'). However, Matthews fails to teach "a device connected to the first interactive voice response service via the internet". Ho teaches the communications device connected to the mailbox via the internet (fig.1, col.8, lines 1-22; 'the communications device' reads on the claim 'a device'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Matthews to allow a device connected to the first interactive voice response service via the internet as taught by Ball. The motivation for the modification is to have the connection in order to provide different types of options via internet.

Matthews further discloses user's response by dialing either a "1" or a "2" (fig.38, step 1912; col.73, lines 16-18; 'response by dialing' reads on the claim 'an option selection'). The program then proceeds to a function block 1914 wherein the VMS enters the status information into the user's record (fig.38; col.73, lines 18-20; 'status information' reads on the claim 'personalized prompt'; 'VMS' reads on the claim 'network interface' and 'user's record' reads on the claim 'help information associated with the selected option'). Thus, VMS provides the respective help information to the user.

Regarding claims 7 and 16, Matthews further discloses recording user's response (fig.38, step 1912; 'user's response' reads on the claim 'personalized prompt') or input address (fig.38, step 1924; 'input address' reads on the claim 'personalized prompt') with dialing command or dialing digit through a voice response service for mailbox subscriber (col.69, lines 38-46; 'voice

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response service for mailbox subscriber' reads on the claim 'a second interactive voice response service').

Matthews further discloses VMS entering the status information into the user's record (fig.38, step 1914; col.73, lines 18-20; 'status information' reads on the claim 'personalized prompt'; 'VMS' reads on the claim 'network interface' and 'user's record' reads on the claim 'help information associated with the selected option'). Thus, VMS provides the respective access codes to the user.

Regarding claims 8 and 17, Matthews further discloses the voice response service for mailbox subscriber (col.69, lines 38-46; 'voice response service for mailbox subscriber' reads on the claim 'a second interactive voice response service') is different from the voice response service provided to callers who want to access the subscriber's mailbox or RO message address (fig.35; col.68, lines 7-17, lines 48-64; 'a subscriber caller' reads on the claim 'a user' and 'voice response service provided to callers who want to access the subscriber's mailbox or RO message address' reads on the claim 'first interactive voice response service').

Regarding claims 9 and 18, Matthews further discloses the VMS 10 validating user ID (fig.12, step 624), acknowledging a valid code has been entered (fig.12, step 628) with an audible signal, such as a single "beep" (fig.11, fig.12; col.23, lines 10-14; 'validating user ID' reads on the claim 'receiving a user identification' and 'VMS' reads on the claim 'network interface').

Matthews further discloses the conclusion of the recording step 610, the user may elect to either DEPOSIT another message 612, inquire for messages 614 or hang up 616 (fig.11,

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fig.21; col.22, lines 50-54). At the end of record voice message program step 610 the user has the three program options (fig.11, fig.14, col.24, lines 32-35; ‘program options’ reads on the claim ‘a list of available communication management options’). The help information-providing step is inherently performed in the system (fig.11, fig.12 and fig.14).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Any response to this action should be mailed to:

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or faxed to:

(703) 308-5397(for formal communications intended for entry; please mark "EXPEDITED PROCEDURE")

(703)**306-5406**(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

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April 21, 2003

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